

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	19-CR-6140(FPG)
)	
PATRICK W. CARLINEO, JR.)	
)	
Defendant.)	

DECLARATION OF PUBLICATION

In accordance with 21 U.S.C. § 853(n)(1) and Rule 32.2(b)(6)(C) of the Federal Rules of Criminal Procedure, notice of the forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on December 05, 2019 and ending on January 03, 2020. (See, Attachment 1).

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 09, 2020 at Rochester, NY.

s/Michelle McCreedy

Michelle McCreedy
Paralegal

Attachment 1

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK
COURT CASE NUMBER: 19-CR-6140(FPG); NOTICE OF FORFEITURE**

Notice is hereby given that on November 22, 2019, in the case of U.S. v. PATRICK W. CARLINEO, JR., Court Case Number 19-CR-6140(FPG), the United States District Court for the Western District of New York entered an Order condemning and forfeiting the following property to the United States of America:

See itemized list (19-FBI-007762), including the following items: 1 Llama-Gabilondo y Cia Max-1 semi-automatic pistol, Ser No: 13456-95; 1 Tristar Cobra 12 gauge pump-action shotgun, Ser No: H9A01913; 1 Savage Axis .308 caliber bolt-action rifle and scope, Ser No: H921203; 1 Rossi Model 2022 20 gauge break-barrel shotgun, Ser No: SP481956; 1 Winchester Model 190, .22 caliber semi-automatic rifle, Ser No: B1601774; 1 SKS-style, 7.62X39mm, semi-automatic rifle, Ser No: 24044013; 9 9- 12 gauge Remington shotgun shells; 24 24- 20 gauge shotgun shells; 8 8 rounds of TulAmmo ammunition; 2 2 rounds of .45 auto caliber ammunition; 1 1 round of .306 caliber ammunition (Winchester); 19 19 rounds of .308 caliber ammunition (winchester); 1 1 round .22L caliber ammunition (winchester); 1 1 Round of 7.62X39mm caliber ammunition (winchester); 2 2 rounds of .22 short caliber ammunition; 4 4 rounds of .308 caliber ammunition (FC winchester); 39 39 rounds of .22 caliber ammunition (aguila); 150 150 rounds of .22 long caliber ammunition (Lellier & Bellot); 40 40 rounds of Brown Bear ammunition; 60 60 rounds of 7.62X39mm caliber ammunition (JSC); 50 50 rounds of .22 caliber ammunition (Federal); 50 50 rounds of .2 caliber ammunition (Remington); 50 50 rounds of .22 caliber ammunition (Aguila Golden Eagle); 50 50 rounds of .22 caliber ammunition (American); 200 200 rounds of .22 LR caliber ammunition (Winchester); 150 150 rounds of .22 LR caliber ammunition (Blazer); 50 50 rounds of .22 LR caliber ammunition (CC1); 40 40 rounds of 7.62X39mm caliber ammunition (Metak); 7 7 rounds of .45 auto caliber ammunition (RP); 37 37 rounds of Speer Lawman ammunition; 6 6 rounds of .45 auto caliber ammunition (speer); 20 20 rounds of .308 caliber ammunition (Federal) which was seized from Patrick Carlineo Jr. on April 05, 2019 at 6480 County Route 21, located in Addison, NY

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file an ancillary petition within 60 days of the first date of publication (December 05, 2019) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The ancillary petition must be filed with the Clerk of the Court, 2120 United States Courthouse, 100 State Street, Rochester, NY 14614, and a copy served upon Assistant United States Attorney Grace Carducci, United States Attorney's Office, 500 Federal Building, Rochester, NY 14614. The ancillary petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited

property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all ancillary petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such ancillary petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition for remission need not be made in any particular form and may be filed online or in writing. You should file a petition for remission not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm> website provides access to a standard petition for remission form that may be mailed and the link to file a petition for remission online. If you cannot find the desired assets online, you must file your petition for remission in writing by sending it to Assistant United States Attorney Grace Carducci, United States Attorney's Office, 500 Federal Building, Rochester, NY 14614. This website provides answers to frequently asked questions (FAQs) about filing a petition for remission. You may file both an ancillary petition with the court and a petition for remission or mitigation.



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between December 5, 2019 and January 03, 2020. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. PATRICK W. CARLINEO, JR.

Court Case No: 19-CR-6140(FPG)
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	12/05/2019	24.0	Verified
2	12/06/2019	24.0	Verified
3	12/07/2019	24.0	Verified
4	12/08/2019	24.0	Verified
5	12/09/2019	24.0	Verified
6	12/10/2019	24.0	Verified
7	12/11/2019	24.0	Verified
8	12/12/2019	24.0	Verified
9	12/13/2019	24.0	Verified
10	12/14/2019	24.0	Verified
11	12/15/2019	24.0	Verified
12	12/16/2019	24.0	Verified
13	12/17/2019	24.0	Verified
14	12/18/2019	24.0	Verified
15	12/19/2019	24.0	Verified
16	12/20/2019	24.0	Verified
17	12/21/2019	24.0	Verified
18	12/22/2019	24.0	Verified
19	12/23/2019	24.0	Verified
20	12/24/2019	24.0	Verified
21	12/25/2019	24.0	Verified
22	12/26/2019	24.0	Verified
23	12/27/2019	24.0	Verified
24	12/28/2019	24.0	Verified
25	12/29/2019	24.0	Verified
26	12/30/2019	24.0	Verified
27	12/31/2019	24.0	Verified
28	01/01/2020	24.0	Verified
29	01/02/2020	24.0	Verified
30	01/03/2020	24.0	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.